



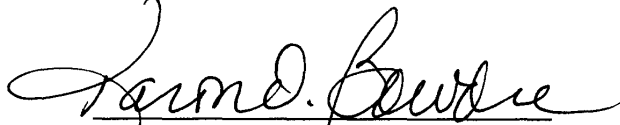
thwarted his efforts. Thus, the record evidence is insufficient to support a connection between Helton's untimely filing and any alleged inadequacies in the prison library. Cf. *Miller v. Marr*, 141 F.3d 976, 978 (10<sup>th</sup> Cir. 1998) ("Mr. Miller has provided no specificity regarding the alleged lack of access and the steps he took to diligently pursue his federal claims.... It is not enough to say that the Minnesota facility lacked all relevant statutes and case law or that the procedure to request specific materials was inadequate.")

259 F.3d at 1314.

Based on *Helton*, petitioner's objection is without merit and the objection is due to be overruled.

A separate Final Judgment consistent with this Memorandum of Opinion will be entered simultaneously herewith.

DONE this <sup>3rd</sup>~~12~~ day of July, 2003.

  
KARON O. BOWDRE  
UNITED STATES DISTRICT JUDGE